THE HON'BLE SMT. JUSTICE T. MEENA KUMARI

and

THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No. 14226 of 2006

O R D E R: (Per the Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is filed challenging the orders dated 21.12.2005 passed by the A.P. Administrative Tribunal, Hyderabad in O.A. 4994 of 2004 as illegal and arbitrary and to direct the respondents 1, 2 and 4 to promote the petitioner as Grade I Warden from the Post of Grade-II Warden with effect from 17.8.1992 notionally on par with the unqualified persons with all consequential monetary benefits as well as consequential promotions.

Heard the learned counsel for the parties.

The petitioner herein filed O.A. 4994 of 2004 before the Tribunal seeking a relief that his services shall be treated as regular with effect from the date of joining i.e. 3.10.1985 and to grant all consequential benefits of promotion to Grade I and thereafter to ASWP with all consequential benefits of seniority, scale of pay and other allowances. The case of the petitioner is that at the time of initial appointment as Warden Grade II he was holding the qualifications of B.Sc., B.Ed and he joined the said post on 6.10.1985. Later the posts of Wardens Grade-II are upgraded to Wardens Grade-I. But, though he is fully eligible, his case was not considered for promotion to the post of Grade I. Having considered the material available on record, the Tribunal dismissed the said O.A. Aggrieved, the petitioner filed this writ petition.

A perusal of the material available on record and the order passed by the Tribunal goes to show that the six persons, to whom the petitioner has referred stating that they are given promotions ignoring his case, are all sufficiently high up in the seniority list, as they were appointed prior to the appointment of the petitioner. The Tribunal also observed that the petitioner never objected to the seniority calling upon the official respondents to place him above the said incumbents. Though the respondents have prepared another seniority list, for that also the petitioner did not make any objections. Therefore, the Tribunal rightly came to the conclusion that the petitioner cannot question the said seniority list which was prepared in the year 1991 after a long lapse of time having taken no objection for all those years. Having perused the record, we are convinced that the Tribunal rightly rejected to grant the relief claimed by the petitioner and therefore there is no illegality or irregularity in the order passed by the Tribunal.

We find no merit in this writ petition. It is accordingly dismissed.

T. MEENA

KUMARI, J.

G. CHANDRAIAH, J.

Date: 19-6-2007.

MVB.